



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,592	02/17/2006	Richard M. Bloomfield	11073-0002US	7088

22902 7590 07/12/2010
CLARK & BRODY
1700 Diagonal Road, Suite 510
Alexandria, VA 22314

EXAMINER

BROWN, VERNAL U

ART UNIT	PAPER NUMBER
----------	--------------

2612

MAIL DATE	DELIVERY MODE
-----------	---------------

07/12/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,592	Applicant(s) BLOOMFIELD, RICHARD M.	
	Examiner VERNAL U. BROWN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/07/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-28 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-28 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2612

DETAILED ACTION

This action is responsive to communication filed on December 07, 2009.

Response to Amendment

The examiner acknowledges the amendment of claims 1, 3-4, 6, 10, 13-16, 18, 27, 35, and the cancellation of claims 19, 29-34.

Response to Arguments

Applicant's arguments with respect to claims 1-18, 20-28, and 35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-18, 20-28 and 35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 1-18, 20-28 and 35, the limitation of the memory configure to store and access data unrelated to any of the components is not disclosed in the specification.

Art Unit: 2612

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 29-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Mackjust et al.

US Patent 7248150.

Regarding claims 29-35, Mackjust et al. teaches a keyless entry system comprising:

a receiver to facilitate the performing of an action at the vehicle and a remote entry device having a transmitter to transmit a signal to the receiver wherein the signal corresponds to the action (col. 8 line 57-col. 9 line 3);

a memory storage component within the remote entry device that stores data and is accessible by a user via flash drive and an interface for the remote entry device to couple the memory storage component with another device (col. 12 lines 15-27).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2612

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 8, 10-11, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934.

Regarding claim 1, 16-17, Michmerhuizen et al. teaches a remote entry device comprising:

a remote entry component within a housing and include a transmitter to transmit a signal (paragraph 013) and transmit signal from the exterior of the vehicle to a receiver in the vehicle to operate one or more components of the vehicle (paragraph 0020);

a memory storage component within the housing and the memory component include a flash drive coupled to the memory and an interface to allow user access to the flash drive (paragraph 023). Michmerhuizen et al. is silent on teaching the memory stores data unrelated to the vehicle's component. Krishnamachari et al. in an analogous art teaches a memory that includes contact information of a person and teaches the storing of other pertinent information (col. 7 lines 40-55). It is therefore the examiner's position that it is store the owner's manual in the memory device because the memory device is used to store various information.

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al. as disclosed by Krishnamachari et al. because contact information allows the memory device to return to its owner if it is lost or stolen.

Regarding claim 2, Michmerhuizen et al. teaches the interface allows access via radio frequency signal (paragraph 023).

Art Unit: 2612

Regarding claim 8, Michmerhuizen et al. teaches the remote device includes a MP3 player (col. 3 lines 6-12).

Regarding claims 10-11, 14-15, Michmerhuizen et al. is silent on teaching the memory includes contact information. Krishnamachari et al. in an analogous art teaches a memory that includes contact information of a person and teaches the storing of other pertinent information (col. 7 lines 40-55). It is therefore the examiner's position that it is store the owner's manual in the memory device because the memory device is used to store various information.

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al. as disclosed by Krishnamachari et al. because contact information allows the memory device to return to its owner if it is lost or stolen.

Claims 3-5 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934 and further in view of Mackjust et al. US Patent 7248150.

Regarding claims 3-5 and 12-13, Michmerhuizen is silent on teaching the memory includes data for a preference setting for a user. Mackjust et al. in an analogous art teaches using a memory stick to transfer setup information to the remote control (col. 12 lines 15-27). Mackjust et al. also teaches the memory device include a code for starting the vehicle (col. 11 lines 8-25). Mackjust et al. also teaches the use of a battery as the power source and charging the battery through a connector.

Art Unit: 2612

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al as disclosed by Mackjust et al. because the flash memory stick is portable as is readily available for providing the configuration information to the remote control according to the user's preferences.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934 and further in view of Applicant admitted prior art.

Regarding claims 6-7, Michmerhuizen et al. is silent on teaching the housing includes a designator to identify the memory storage component and the designator to identify the memory storage component. The designator to identify the memory storage component represents a marketing tool and this represents a conventional practice is applicant admitted prior art because the examiner's official notice was not transverse.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934 and further in view of Cheng et al. US Patent 6880054.

Regarding claim 9, Michmerhuizen et al. is silent on teaching the memory comprises a password function to deny access to at least one file stored in the memory. Cheng et al. in an analogous art teaches a memory comprising password function to deny access to at least one file stored in the memory (col. 2 lines 32-50).

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen et al. in view of Krishnamachari et al. as disclosed by Cheng et al. because a

Art Unit: 2612

memory which includes a password function to deny access to at least one file stored in the memory increases the security system by preventing unauthorized access to the memory.

Claims 18, 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 in view of Krishnamachari et al. US Patent 7057934 and further in view of Kao US Patent 6792487.

Regarding claims 18, 20-23, Mackjust et al. teaches a remote entry device comprising: a transmitter for transmitting a signal for an action to occur and the transmitter is enclosed in a housing and draws power from a battery (col. 4 lines 38-46, col. 20 lines 41-54). Mackjust et al. teaches the transmitter transmitting signal from the exterior of the vehicle to the receiver in the automobile (col. 6 lines 13-25). Mackjust et al. teaches a memory storage component having a memory accessible through an interface (col. 12 lines 15-27) but is silent on teaching a cover attaching to the housing and a sliding part on the housing that detaches the cover from the housing. Kao in an analogous art teaches a multifunction device having a cover attaching to the housing, a sliding part on the housing that detaches the cover from the housing (col. 2 lines 12-50). The examiners take official notice that the USB interface a widely used to charge the battery of a mobile device. Mackjust et al. also teaches using a memory stick to transfer setup information to the remote control (col. 12 lines 15-27). Mackjust et al. also teaches the memory device include a code for starting the vehicle (col. 11 lines 8-25). Mackjust et al. is in view of Kao is silent on teaching the memory stores data unrelated to the vehicle's component. Krishnamachari et al. in an analogous art teaches a memory that includes contact information of a person and teaches the storing of other pertinent information (col. 7 lines 40-55).

Art Unit: 2612

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Kao because this allows for the easy attachment of memory device to the remote entry device and further extending the functionality of the remote control device and the storing data unrelated to the vehicle's components provides a means for storing useful information based on the user's preferences.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 in view of Kao US Patent 6792487 in view of Krishnamachari et al. US Patent 7057934 and further in view of Cheng et al. US Patent 6880054.

Regarding claims 24-26, Mackjust et al. is silent on teaching the memory comprises a password function to deny access to at least one file stored in the memory. Cheng et al. in an analogous art teaches a memory comprising password function to deny access to at least one file stored in the memory (col. 2 lines 32-50).

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Cheng et al. because a memory which includes a password function to deny access to at least one file stored in the memory increases the security system by preventing unauthorized access to the memory.

. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackjust et al. US Patent 7248150 and further in view of Kao US Patent 6792487 and further in view of Koh US Patent 6757783.

Regarding claims 27-28, Mackjust et al. teaches a remote entry device comprising:
a transmitter for transmitting a signal for an action to occur and the transmitter is enclosed in a housing and draws power from a battery (col. 4 lines 38-46, col. 20 lines 41-54).

Art Unit: 2612

Mackjust et al. teaches a memory storage component having a memory accessible through an interface (col. 12 lines 15-27) but is silent on teaching a cover attaching to the housing and a sliding part on the housing that detaches the cover from the housing. Kao in an analogous art teaches a multifunction device having a cover attaching to the housing, a sliding part on the housing that detaches the cover from the housing (col. 2 lines 12-50). The reference of Koh teaches the use of a LED to indicate the operating status of a flash drive (col. 5 lines 50-62).

It would have been obvious to one of ordinary skill in the art to modify the system of Mackjust et al. as disclosed by Kao because this allows for the easy attachment of memory device to the remote entry device and further extending the functionality of the remote control device.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michmerhuizen et al. US Patent Application Publication 20060273878 in view of Krishnamachari et al. US Patent 7057934 and further in view of Mackjust et al. US Patent 7248150.

Regarding claim 35, Michmerhuizen in view of Krishnamachari et al. is silent on teaching the memory storage component including a flash drive. Mackjust et al. teaches a memory storage component within the remote entry device that stores data and is accessible by a user via flash drive and an interface for the remote entry device to couple the memory storage component with another device (col. 12 lines 15-27).

It would have been obvious to one of ordinary skill in the art to modify the system of Michmerhuizen in view of Krishnamachari et al. as disclosed by Mackjust et al. because a flash drive rendered the system more adaptable and provide for accessing of information from a portable device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Primary Examiner, Art Unit 2612